

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
BISON CAPITAL CORPORATION,

Plaintiff,

-against-

ATP OIL & GAS CORPORATION,

Defendant.
----- X

: 10 CV 714 (SHS) (AJP)

: ECF CASE

: **NOTICE OF MOTION BY**
: **DEFENDANT ATP OIL & GAS**
: **CORPORATION TO DISMISS**
: **COUNTS III THROUGH XIII OF**
: **THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Gerald G. Paul, executed on March 26, 2010, and the exhibit attached thereto, the accompanying Memorandum of Law in support of this motion, and all other pleadings and proceedings had herein, Defendant ATP Oil & Gas Corporation (“ATP”) will move this Court before the Honorable Sidney H. Stein, United States District Judge, at the Courthouse, 500 Pearl Street, New York, New York 10007-1312, Courtroom 23A, at a date and time to be set by the Court, for an order:

- a) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, granting Defendant ATP’s motion to dismiss Counts III through XIII of the Amended Complaint with prejudice; and
- b) granting such other, further and different relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, answering papers, if any, shall be served within fourteen (14) days hereof, and reply papers, if any, shall be served within seven (7) days after service of the answering papers.

Dated: New York, New York
March 26, 2010

FLEMMING ZULACK WILLIAMSON
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